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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/885,698	06/30/1997	SCOTT B. GORDON	1647/47358	7722

7590 10/01/2003

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EXAMINER
NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
2665	27

DATE MAILED: 10/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	08/885,698	GORDON, SCOTT B.	
	Examiner	Art Unit	
	Steven HD Nguyen	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-10 and 13-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-10 and 13-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Focsaneanu (USP 5991292) in view of Shaffer (USP 5761294), Solomon (USP 5974043), Land (USP 5751706) and Anderson (USP 6064673).

Focsaneanu discloses (Figs 1-20 and col. 1, lines 25 to col. 17, lines 5) apparatus for effecting audible communication between a local system and a remote system over a Wide Area Network (WAN) comprising: a remote modem configured in said remote system and receiving telephone transmission signals (Figs 15-20, Access module includes a modem pool for receiving a telephone transmission signals). However, Focsaneanu does not disclose a converter electrically interconnected to a telephone interconnection of said remote modem and receiving said telephone transmission signals therefrom and providing an audio output signal; an interface machine splitting a portion of said audio output signal from said converter, said interface machine including a first sound processing mechanism processing said audio output signal for transmission over said WAN as a network audio signal; a second sound processing mechanism configured at said local system, receiving said network audio signal and processing said network audio signal to provide a continuous audio signal at said local system. In the same field of endeavor, Shaffer discloses (Figs 1-4 and col. 2, lines 15 to col. 5, lines 67) a converter

electrically interconnected to a telephone interconnection of said remote modem and receiving said telephone transmission signals therefrom and providing an audio output signal (Fig 1, Ref 24 for converting a digital voice signal of a telephone transmission signal into an analog voice signal). However, Focsaneanu and Shaffer does not fully disclose an interface machine splitting a portion of said audio output signal from said converter, said interface machine including a first sound processing mechanism processing said audio output signal for transmission over said WAN as a network audio signal; a second sound processing mechanism configured at said local system, receiving said network audio signal and processing said network audio signal to provide a continuous audio signal at said local system. In the same field of endeavor, Solomon discloses (Figs 1-14 and col. 1, lines 10 to col. 22, lines 25) said interface machine including a first sound processing mechanism processing said audio output signal for transmission over said WAN as a network audio signal; a second sound processing mechanism configured at said local system, receiving said network audio signal and processing said network audio signal to provide a continuous audio signal at said local system (Fig 10, Ref 368 which includes the sound card for receiving the analog voice signal from the controller 358, wherein the soundcard will converted the analog voice into a digital signal for transmitting via WAN to a local system). However, Focsaneanu, Solomon and Shaffer do not fully disclose an interface machine splitting a portion of said audio output signal from said converter. In the same field of endeavor, Land discloses (Figs 1-5) an interface machine splitting a portion of said audio output signal from said converter (Col. 2, lines 20-52). However, Focsaneanu, Solomon, Land and Shaffer do not fully disclose the sound processing mechanisms at the remote and local site. In the same

field of endeavor, Anderson discloses (Fig 1-3 and col. 1, lines 55 to col. 7, lines 38) an interface machine (Fig 1 is a computer has an analog line interface codec "Ref 16" for converting a transmission signal into the audio signals then generating packets having the digitized audio signal by using a sound mechanism for transmitting via WAN 104 to another computer, which have an address, has a sound mechanism for processing the network audio packet; See col. 5, lines 9-45 and Fig 2) for processing a received telephone signal into a network audio signal for transmitting via WAN (Fig 1, Ref 32b) to a local system (Col 5, lines 5-8, a computer "implicitly has an WAN address" which has an WAN address is a multimedia computer with a sound processing software for converting a network audio signal into a continuous audio signal for outputting to a speaker) having second sound mechanism for processing received network audio signal into a continuous audio signal and an automated attendant system (Fig 1, performing automated attendant management, see col. 4, lines 36-48) for gathering the information (See col. 5, lines 46-55).

Since the functions such as splitting the digital signal, gateway with soundcard for splitting the digital signal to form a packet by using a sound processing mechanism and a converter for converting digital and analog are well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method of splitting a portion of the audio signal from converter as disclosed by Land; an interface machine which includes a soundcard as disclosed by Solomon; a converter for converting digital signal into analog signal as disclosed Shaffer; a sound processing mechanism as disclosed by Anderson's system into Focsaneanu's system. The motivation would have been to reduce the long distance cost.

3. Claims 8-9, 13-16, 19-20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer (USP 5761294) in view of Anderson (USP 6064673).

Shaffer discloses (Figs 1-4 and col. 2, lines 15 to col. 5, lines 67) a method and system for effecting audible communication between a local system and a remote system over a Wide Area Network (WAN) comprising the steps of configuring a remote communication mechanism in said remote system to receive a transmission signal and converting said transmission signal into an analog audio output signal, wherein said converting step involves a converter electrically connected to an interconnection of said remote communication mechanism to receive said transmission signals therefrom and to convert said transmission signals into said analog audio output (Fig 1, Ref 24 for receiving a transmission signal and converting the transmission signal into analog signal for outputting to an ISP; See col. 3, lines 28-42); However, Shaffer does not disclosed a processing said analog audio output signal into packets for transmission over said WAN as a stream of audio packets; receiving and processing said stream of audio packets to provide a continuous audio signal at said local system. In the same field of endeavor, Anderson discloses (Fig 1-3 and col. 1, lines 55 to col. 7, lines 38) an interface machine (Fig 1 is a computer has an analog line interface codec "Ref 16" for converting a transmission signal into the audio signals then generating packets having the digitized audio signal by using a sound mechanism for transmitting via WAN 104 to another computer, which have an address, has a sound mechanism for processing the network audio packet; See col. 5, lines 9-45 and Fig 2) for processing a received telephone signal into a network audio signal for transmitting via WAN (Fig 1, Ref 32b) to a local system (Col 5, lines 5-8, a computer "implicitly has an WAN address" which has an WAN

address is a multimedia computer with a sound processing software for converting a network audio signal into a continuous audio signal for outputting to a speaker) having second sound mechanism for processing received network audio signal into a continuous audio signal and an automated attendant system (Fig 1, performing automated attendant management, see col. 4, lines 36-48) for gathering the information (See col. 5, lines 46-55).

Since the function such a sound processing mechanism for processing the analog signal into a packet is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method of a sound processing mechanism as disclosed by Anderson's system into Shaffer's system. The motivation would have been to reduce the long distance cost.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer (USP 5761294) and Anderson (USP 6064673) further in view of Focsaneanu (USP 5991292).

Shaffer and Anderson do not disclose a remote computer system for transmitting a transmission signal to converter of remote communication mechanism by a modem that located at resident location. In the same field of endeavor, Focsaneanu discloses a resident modem is used to transmit signal to the access module (Fig 8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a modem for using to transmit a signal to access module as disclosed Focsaneanu's system into the system of Shaffer and Anderson. The motivation would have been to reduce the long distance cost.

5. Claims 17-18 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer (USP 5761294) and Anderson (USP 6064673) further in view of Solomon (USP 5974043).

Shaffer and Anderson do not disclose a soundcard for using to perform sound processing mechanism. In the same field of endeavor, Solomon discloses a sound card for performing a sound processing mechanism (Fig 10, Ref 368).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a sound card for processing sound mechanism as disclosed by Solomon's system into the system of Shaffer and Anderson. The motivation would have been to reduce the long distance cost.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Deng (USP 6600733) discloses a gateway for interconnecting between PSTN and Internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Steven HD Nguyen
Primary Examiner
Art Unit 2665
September 21, 2003